

Committee on Human Rights and Humanitarian International Law; changes in the electoral Code leading to the establishment of the National Observatory for Elections; efforts made to overcome the problem of illiteracy; the activities of the Ministry on Women, Children and Family that has initiated a plan of action in collaboration with NGOs; efforts made to enhance public awareness of women's issues; the criminalization of torture in the Penal Code; the willingness of the government to comply with the views of the Committee in relation to individual communications and decisions; and, the primacy of international human rights standards over national legislation.

The principal subjects of concern identified by the Committee were: information received concerning events in Casamance, including indiscriminate killing of civilians by army and police, disappearances, ill-treatment and use of torture against suspected supporters of the Mouvement des forces démocratiques de Casamance (MFDC); the persistence of certain traditional cultural attitudes with respect to women, such as polygamy, female genital mutilation (FGM) and the high rate of maternal mortality resulting from the practice, and the strict prohibition on abortion; the persistence of violence against women, including spousal abuse; lack of definition of criteria under which a judge may hold an arrested person in pre-trial detention and extensive discretionary power given to judges in such situations; in cases of offences against state security, provisions allowing special detention in police custody, extension of length of detention and preventing access to legal counsel by detainees; the recurring problems of overcrowding and poor health and sanitation conditions in many prisons; lack of full enjoyment of freedom of association; the barring of foreign workers from holding official positions in trade unions; the provision that trade unions may be dissolved by the executive; the statement by the government that there are no minorities in Senegal and the failure of the government to provide information on the recognition and protection of religious and ethnic minorities in the country.

The Committee recommended that the government:

- ▶ take measures to ensure that military personnel and the police fully observe Covenant obligations related to the right to life and the prohibition on torture and ill-treatment within the context of the situation in Casamance;
- ▶ consider establishing in Casamance an independent mechanism to monitor and investigate human rights abuses, bring persons found responsible to justice, and compensate victims;
- ▶ provide further training in human rights for all security and law enforcement personnel;
- ▶ enact a specific law to make female genital mutilation an offence and encourage judges and lawyers to make use of ordinary criminal law to deal with FGM until such a law is enacted;
- ▶ launch a systematic campaign to promote popular awareness of persistent negative attitudes towards women and to protect them against all forms of discrimination;
- ▶ abolish practices prejudicial to women's health and reduce maternal mortality;
- ▶ with regard to women, bring legislation, including family and inheritance laws, into conformity with the Covenant and obligations related to non-discrimination, equality of women and men, the right to life, the prohibition on torture and ill-treatment, the family and equality before the law;
- ▶ in the law, give specific attention to the problem of domestic violence and develop an information and education campaign to prevent and combat any form of violence against women;
- ▶ set out in the Code of Criminal Procedure criteria establishing the grounds on which persons awaiting trial may be held in detention and repeal provisions dealing with special cases of detention related to offences against state security;
- ▶ take measures to reduce overcrowding in prisons and upgrade facilities as quickly as possible;
- ▶ take all necessary measures to permit foreign workers to hold official positions in trade unions and provide guarantees and legal redress to trade unions against dissolution by administrative measures; and,
- ▶ take legal and practical steps to recognize and protect religious and ethnic minorities.

**Optional Protocol:** Signed: 6 July 1970; ratified: 13 February 1978.

#### **Racial Discrimination**

Signed: 22 July 1968; ratified: 19 April 1972.

Senegal's 11<sup>th</sup> through 13<sup>th</sup> periodic reports were due 19 May 1993, 1995 and 1997 respectively.

*Reservations and Declarations:* Declaration under article 14.

#### **Discrimination against Women**

Signed: 29 July 1980; ratified: 5 February 1985.

Senegal's third periodic report was due 7 March 1994.

#### **Torture**

Signed: 4 February 1985; ratified: 21 August 1986.

Senegal's third periodic report was due 25 June 1996

*Reservations and Declarations:* Declarations under articles 21 and 22.

#### **Rights of the Child**

Signed: 26 January 1990; ratified: 31 July 1990.

Senegal's second periodic report was due 1 September 1997.

## **THEMATIC REPORTS**

### *Mechanisms of the Commission on Human Rights*

**Extrajudicial, summary or arbitrary execution, Special Rapporteur on:** (E/CN.4/1997/60, paras. 16, 32; E/CN.4/1997/60/Add.1, paras. 430-432)

The report of the Special Rapporteur (SR) refers to violations in Casamance and particularly to violations of the right to life in the context of the conflict between the Senegalese security forces and the armed separatists of the Casamance Democratic Forces Movement (MFDC). The report notes information received indicating that there are no systematic investigations of complaints of violations of the right to life